

**FINAL  
DECISION DOCUMENT  
SITE-SPECIFIC VARIANCE**

**VALERO REFINING-ST. CHARLES REFINERY  
NEW ORLEANS, L.L.C.  
NORCO, LOUISIANA  
LAD 000225862  
AI#26003 / PER20090008**

**RECORDS CENTER COPY**

**PUBLIC NOTICE**  
**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)**  
**VALERO REFINING-ST. CHARLES REFINERY, NEW ORLEANS, L.L.C.**  
**FINAL DECISION DOCUMENT TO GRANT SITE-SPECIFIC VARIANCE**  
**FROM CLASSIFICATION AS A SOLID WASTE**

The LDEQ, Office of Environmental Services, has made the decision to issue the site-specific variance for Valero Refining (Valero), St. Charles Refinery-New Orleans, L.L.C., P.O. Box 518, Norco, Louisiana for the St. Charles Refinery site. **The facility is located at 14902 River Road, New Sarpy, St. Charles Parish.**

Under this site-specific variance Valero will generate spent catalysts containing hazardous waste codes K171 and K172 in accordance with LAC 33:V.105.0.1.c and 105.0.2.c. at the St. Charles Refinery in their hydro-processing reactor (Gasoline Desulfurization Unit EPN 94-GDU) during hydro-processing activities. The process includes initial reclamation (deactivation) of the spent catalysts contained in CD Modules®, block-like structures manufactured by Catalytic Distillation Technologies (CDTECH), a company located in Pasadena, Texas

Valero has established a licensing agreement to use CDTECH's CD Modules® in their hydro-processing reactor. CDTECH has, in turn, established a tolling agreement with Techemet, LLC, a metals reclamation facility also located in Pasadena, Texas. Techemet, LLC will physically separate the spent catalysts from the CD Modules® to perform subsequent reclamation to recover the metal value contained in the spent catalysts.

The final permitting action and related documents are available for review and copying (all documents copied will be subject to a \$0.25 charge per copied page) at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). **The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at [www.deq.louisiana.gov](http://www.deq.louisiana.gov).**

An additional copy of this action may be reviewed at the St. Charles Parish Library – East Regional Branch located at 100 River Oaks Drive, Destrahan, LA 70047.

In accordance with Louisiana Revised Statutes (La R.S.) 30:2024, the Permittee may file with the secretary a request for a hearing no later than thirty (30) days after the notice of the action is served. Under La. R.S. 30:2050.21, any person aggrieved by a final permit action may appeal to the Nineteenth Judicial District Court within 30 days after the notice of the action has been given.

Previous notices have been published in The Advocate and The St. Charles Herald Guide on December 10, 2009.

Inquiries or requests for additional information regarding this permit action, should be directed to Keith R. Williams, LDEQ, Waste Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3011.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at [deqmaillistrequest@la.gov](mailto:deqmaillistrequest@la.gov) or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

**Permit public notices including electronic access to the issued permit and associated information can be viewed at the LDEQ permits public notice webpage at [www.deq.louisiana.gov/apps/pubNotice/default.asp](http://www.deq.louisiana.gov/apps/pubNotice/default.asp) and general information related to the public participation in permitting activities can be viewed at [www.deq.louisiana.gov/portal/tabid/2198/Default.aspx](http://www.deq.louisiana.gov/portal/tabid/2198/Default.aspx)**

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at [www.doe.louisiana.gov/oes/listservpage/ldeq\\_pn\\_listserv.htm](http://www.doe.louisiana.gov/oes/listservpage/ldeq_pn_listserv.htm)

**All correspondence should specify AI Number 26003, Permit Number EPA ID# LAD000225862, and Activity Number PER20090008.**

**Scheduled Publication Date: February 11, 2010**  
 form 7125\_r01  
 04/30/07

**BOBBY JINDAL**  
GOVERNOR



**PEGGY M. HATCH**  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**ENVIRONMENTAL SERVICES**

**FEDERAL EXPRESS**

Robert J.T. Martin, P.E., Environmental Engineering Manager  
Valero Refining, St. Charles Refinery-New Orleans, L.L.C.  
P.O. Box 518  
Norco, LA 70079-0518

**RE:** Valero Refining (Valero), St. Charles Refinery-New Orleans, L.L.C.  
AI#26003/LAD 000 225 862/PER20090008  
Final Approval for Site Specific Variance from the Classification as a Solid Waste for  
Spent Catalyst Containing Hazardous Waste Codes K171/K172, Pursuant to LAC  
33:V.105.O.1.c and 105.O.2.c.

Dear Mr. Martin:

The Waste Permits Division has received your submittal dated June 5, 2009, regarding the request to grant a variance from the classification as a solid waste for spent catalyst containing waste codes K171/K172 resulting from hydro-processing activities conducted at your facility, in conjunction with Catalytic Distillation Technologies (CDTECH) located in Pasadena, Texas. The variance will cover the spent catalysts contained in CDTECH's CD Modules®, following initial reclamation of the spent catalysts within the hydro-processing reactor-Gas Desulfurization Unit-EPN 94-GDU operated by your facility. After hydro-processing and initial reclamation activities have occurred, the CD Modules® will be transported to Techemet, LLC located in Pasadena, Texas for further reclamation to recover the metal value from the spent catalysts contained in the CD Modules®.

After careful review and consideration of your submittal and additional information, the Waste Permits Division hereby grants Valero's request for a variance from the classification as a solid waste, those spent catalyst containing waste codes K171/K172 contained within the CD Modules® utilized in the hydro-processing reactor (EPN 94-GDU). This variance remains valid as long as CDTECH retains ownership of the spent catalysts contained within the CD Modules® and the following conditions are met:

- *The management and transport of the spent catalysts shall not: 1) cause a discharge or imminent threat of a discharge into or adjacent to the waters of the state 2) create and maintain a nuisance or 3) violate any applicable provisions of the Louisiana Administrative Code and the U.S. and Louisiana Department of Transportation laws and regulations;*

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- *The contractual agreements and obligations between Valero and CDTECH, which have licensing agreements with Techemet, LLC are accurate, complete, as presented to the LDEQ in the request, and which this variance is based and there is a strict compliance with the terms of those agreements and obligations;*
- *The catalysts are deactivated (initial reclamation) prior to leaving the unit at Valero (at a minimum, this shall mean that the catalysts do not exhibit the characteristics of ignitability (D001) or reactivity (D003)), shall not be pyrophoric, shall meet all of the standards and criteria for being deactivated found in CDTECH's Supervisory Operating Manual and in compliance with the Clean Air Act and LDEQ air regulatory requirements. The spent material shall meet all U.S. and Louisiana Department of Transportation regulations and conditions for shipment;*
- *All records of how the catalysts are reclaimed and recycled at Techemet's facility shall be maintained in an easy to retrieve and easy to copy format; and*
- *If at anytime the spent catalysts are sent for disposal prior to final reclamation, the material shall retain the hazardous waste listings of K171/K172 and be properly disposed of at a permitted disposal facility in accordance with the Hazardous Waste Regulations.*

This variance is based upon the assumption that the information provided to LDEQ by Valero and CDTECH is complete and accurate. Valero shall inform the LDEQ by written notification in a timely manner, of any deviation from or changes to the information in the variance request which would affect Valero's ability to comply with applicable regulatory requirements or variance conditions. This variance may be suspended, modified, revoked, reissued or terminated for cause.

The granting of this variance does not constitute a defense against any past or future non-compliance with state or federal regulations. Additionally, the granting of this variance does not constitute Department approval for any activity or process that may require a permit or a modification to an existing permit.

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Please reference your Agency Interest Number 26003, EPA ID Number LAD 000 225 862 and Permit Activity Number PER20090008 on all future correspondence pertaining to this matter. If you have any questions, please contact Keith R. Williams of the Waste Permits Division at (225) 219-3011.

Sincerely,

A handwritten signature in black ink, appearing to read 'CSN', followed by a horizontal line.

Cheryl Sonnier Nolan  
Assistant Secretary

krw

c: Patrick Devillier – Waste Engineering Services

## **VERIFICATION BY FACILITY**

The undersigned verifies that the Valero Refining-St. Charles Refinery, New Orleans, LLC has received a copy of the final decision document and public notice regarding:

**RE: Final Decision Document\_Variance from Classification as a Solid Waste  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD000225862  
Norco, St. Charles Parish, Louisiana**

**VALERO REFINING-ST. CHARLES REFINERY, NEW ORLEANS, LLC**

By: \_\_\_\_\_ Date: \_\_\_\_\_

**Please complete and return this form promptly to the address listed below:**

**Ms. Laura Ambeau  
Louisiana Department of Environmental Quality  
Office of Environmental Services  
Environmental Assistance Division  
PO Box 4313  
Baton Rouge, LA 70821-4313  
Phone (225) 219-3277**

**FAX (225) 325-8157**

**VERIFICATION BY NEWSPAPER**

The undersigned verifies that the following public notice was published on the \_\_\_\_\_ (date of publication) edition of The Advocate:

RE: ~~Request For Public Comments On a Final Hazardous Waste - Site Specific Variance~~  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD 000225862  
Norco, St. Charles Parish, Louisiana

**The Advocate:**

By: \_\_\_\_\_ Date: \_\_\_\_\_

**Please complete and return this form promptly to the address listed below:**

**Laura Ambeau  
Louisiana Department of Environmental Quality  
Office of Environmental Services  
Permits Support Services Division  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
PHONE (225) 219-3277  
FAX (225) 325-8157**

**VERIFICATION BY NEWSPAPER**

The undersigned verifies that the following public notice was published on the  
\_\_\_\_\_ (date of publication) edition of The St. Charles Herald-Guide:

**RE: Request For Public Comments On a Final Hazardous Waste - Site Specific Variance  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
AI26003, PER20090008, Permit Number LAD 000225862  
Norco, St. Charles Parish, Louisiana**

**The St. Charles Herald-Guide:**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Please complete and return this form promptly to the address listed below:**

**Laura Ambeau  
Louisiana Department of Environmental Quality  
Office of Environmental Services  
Permits Support Services Division  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
PHONE (225) 219-3277  
FAX (225) 325-8157**



**BOBBY JINDAL**  
GOVERNOR



**PEGGY M. HATCH**  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**ENVIRONMENTAL SERVICES**

2/1/2010

Telephone: (504) 736-7701  
Fax: (504) 736-7702

Mr. Mike Algero  
Southeast Regional Office Manager  
201 Evans Road, Building 4, Suite 420  
New Orleans, LA 70123-5230

**RE: Final Decision Document -Variance from Classification as a Solid Waste**  
**Valero Refining Co - New Orleans LLC - St Charles Refinery**  
**A126003, PER20090008, Permit Number LAD000225862**  
**Norco, St. Charles Parish, Louisiana**

Dear Mr. Algero:

We have enclosed a copy of the final decision document and public notice for the referenced facility for your use.

Please complete the attached 'Verification by Regional Office' and Fax to Laura Ambeau , at (225) 325-8157. We appreciate your assistance in our efforts to serve the public. If you have any questions, please call me at (225) 219-3277.

Sincerely,

*Laura Ambeau*

Laura Ambeau  
Environmental Scientist, Public Participation Group

LA

Attachments/

**VERIFICATION BY REGIONAL OFFICE**

The undersigned verifies that Southeast Regional Office, 201 Evans Road, Building 4, Suite 420, New Orleans, LA has received a copy of the Final Hazardous Waste - Site Specific Variance Documentt associated with the following public notice:

**RE: Final Decision Document -Variance from Classification as a Solid Waste  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD000225862  
Norco, St. Charles Parish, Louisiana**

**Southeast Regional Office**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Please complete and fax this form promptly to the fax number listed below:**

**Laura Ambeau  
Office of Environmental Services  
Public Participation Group  
PHONE (225) 219-3277  
FAX (225) 325-8157**

**BOBBY JINDAL**  
GOVERNOR



**PEGGY M. HATCH**  
SECRETARY

## State of Louisiana

### DEPARTMENT OF ENVIRONMENTAL QUALITY ENVIRONMENTAL SERVICES

2/1/2010

Telephone: (985) 783-5000

Fax: (985) 783-2067

Mr. V. J. St. Pierre, Jr.  
President St. Charles Parish Council  
15045 Highway 18  
Hahnville, LA , LA 70057

**RE: Final Decision Document -Variance from Classification as a Solid Waste  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD000225862  
Norco, St. Charles Parish, Louisiana**

Dear Mr. St. Pierre:

The Louisiana Department of Environmental Quality (LDEQ) is enclosing a copy of the Final Hazardous Waste - Site Specific Variance and the legal notice for the Valero Refining Co - New Orleans LLC - St Charles Refinery, 14902 River Rd, Norco, LA. The public notice is scheduled to be published in/or announced on:

*St. Charles Herald-Guide*  
*Advocate*

*Thursday, February 11, 2010*

*Thursday, February 11, 2010*

It is also posted on the LDEQ Website, found at [www.deq.state.la.us](http://www.deq.state.la.us). Written comments on the Final Hazardous Waste - Site Specific Variance may be submitted to Ms. Soumaya Ghosn, LDEQ-OES, Permits Support Services Division, P.O. Box 4313, Baton Rouge, LA 70821-4313. All comments regarding the permit(s) should specify Agency Interest (AI) No. 26003

Should you have any questions, additional permit information may be obtained from Keith Williams, LDEQ, Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, telephone (225) 219-3181. Should you have any questions regarding the public notice, please contact Laura Ambeau, LDEQ, Permit Support Services Division, Permit Support Section, at (225) 219-3277

Please complete the attached 'Verification of Receipt' and mail to Laura Ambeau , LDEQ-OES, Permit Support Services Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax (225) 325-8157. We appreciate your assistance in our efforts to serve the public. If you have any questions, please call me at (225) 219-3277.

Sincerely,

*Laura Ambeau*

Laura Ambeau  
Environmental Scientist, Public Participation Group

LA

Attachments/

**VERIFICATION BY PARISH GOVERNMENT**

The undersigned verifies that St. Charles Parish Council, 15045 Highway 18, Hahnville, LA, LA has received a copy of the Final Hazardous Waste - Site Specific Variance Decision Document associated with the following public notice:

**RE: Final Decision Document -Variance from Classification as a Solid Waste  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD000225862  
Norco, St. Charles Parish, Louisiana**

**St. Charles Parish Council**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Please complete and return this form promptly to the address listed below:**

**Laura Ambeau  
Louisiana Department of Environmental Quality  
Office of Environmental Services  
Permits Support Services Division  
PO Box 4313  
Baton Rouge, LA 70821-4313  
PHONE (225) 219-3277  
FAX (225) 325-8157**

**BOBBY JINDAL**  
GOVERNOR



**PEGGY M. HATCH**  
SECRETARY

**State of Louisiana**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**ENVIRONMENTAL SERVICES**

2/1/2010

Telephone: 985-764-2366  
Fax: 985-764-0447

Ms. Lauren Campo  
Branch Manager  
St. Charles Parish Library - East Regional Branch  
100 River Oaks Drive  
Destrehan, LA 70047

**RE: Final Decision Document -Variance from Classification as a Solid Waste**  
**Valero Refining Co - New Orleans LLC - St Charles Refinery**  
**A126003, PER20090008, Permit Number LAD000225862**  
**Norco, St. Charles Parish, Louisiana**

Dear Ms. Campo:

We request that the enclosed documents for the permitting action for referenced company/facility be made available for public review upon receipt in the St. Charles Parish Library - East Regional Branch. It is imperative that these documents are available for review at all times; therefore, they cannot be checked out by anyone at any time.

The documents should be retained during the permitting process. At the close of the permitting period, the Louisiana Department of Environmental Quality, Office of Environmental Services (LDEQ-OES), Hazardous Waste Permits Division will provide written notice to you requesting that the information be removed.

Please complete the attached 'Verification by Library' and mail to Laura Ambeau , LDEQ-OES, Permit Support Services Division, PO Box 4313, Baton Rouge, LA 70821-4313, or Fax (225) 325-8157. We appreciate your assistance in our efforts to serve the public. If you have any questions, please call me at (225) 219-3277.

Sincerely,

*Laura Ambeau*

Laura Ambeau  
Environmental Scientist, Public Participation Group

LA

Attachments/

### **VERIFICATION BY LIBRARY**

The undersigned verifies that St. Charles Parish Library - East Regional Branch, 100 River Oaks Drive, Destrehan, LA has received a copy of the Final Hazardous Waste - Site Specific Variance Decision Document associated with the following public notice:

**RE: Final Decision Document - Variance from Classification as a Solid Waste  
Valero Refining Co - New Orleans LLC - St Charles Refinery  
A126003, PER20090008, Permit Number LAD000225862  
Norco, St. Charles Parish, Louisiana**

#### **St. Charles Parish Library - East Regional Branch**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Please complete and return this form promptly to the address listed below:**

**Laura Ambeau  
Louisiana Department of Environmental Quality  
Office of Environmental Services  
Permit Support Services Division  
P.O. Box 4313  
Baton Rouge, LA 70821-4313  
PHONE (225) 219-3277  
FAX (225) 325-8157**